REMARKS

Reconsideration is respectfully requested. Claims 1-10 and 12-21 are now present in the application. No claims are amended. New claims 22-26 are added.

Regarding the abstract amendments requested by the Examiner, applicants did amend the abstract in the previous response to office action, to add additional text to make the abstract longer than 50 words. The amendment does appear in the PAIR image file wrapper. However, applicants repeat the amendment here. Please enter this amendment. The amendment puts the abstract at 62 words length, which is greater than the minimum 50 words requested.

Claims 1-10 and 13-21 are rejected under 35 U.S.C. §102(3) as allegedly being anticipated by Bohley et al *US 6,798,183). Applicants respectfully traverse.

Bohley et al do not and cannot anticipate the claims. Claim 1 recites, among other things, a toner adapted to generate and supply a tone packet to a cable under test. Bohley et al do not include the concept of a tone packet. Bohley et al apply a tone by application of a clock signal to pins 1, 2, 4 and 5 and an inverted clock signal to pins 3, 6, 7 and 8 of a network cable. There is no discussion of the concept of applying a tone packet as taught by applicants. There are no packets in Bohley. As such, the claims cannot be anticipated by Bohley.

With reference to the specific rejections, claim 1, there is no toner adapted to generate and supply a tone packet. The ENABLE TONE item of FIG. 3 is merely a signal that allows the application of tone by the Bohley device to be turned off or on. It does not relate to tone packet generation. The device is not adapted to generate a tone packet.

Regarding claims 2 & 14, item 26 of Bohley et al is not a synchronization portion of a tone packet. It is a tone driver circuit (which is illustrated in greater detail in FIG. 3 of Bohley et al). There is no synchronization portion shown or suggested. The device of Bohley has nothing to do with synchronization portions, as it does not have any concept of packets. Item 12 of Bohley et al is a microprocessor that controls the instrument. It is not a data portion of a tone packet. Accordingly, claims 2 and 14 are not anticipated by Bohley et al.

Claims 3, 15: Item 12 of Bohley et al is not a data portion, and as such, it cannot meet the language of a data portion comprising plural portions providing different testing modes. Refer to applicants' FIG. 2 for examples of plural data portions providing different testing modes. No such concept is taught or suggested by Bohley et al, as the Bohley et al document is concerned with other things.

Claims 4, 16: There is no teaching of the concept of a cable isolate mode in Bohley.

Claims 5, 17: These claims depend on claims that recite data portion comprises plural portions providing different testing modes, and that the testing modes include a wire pair test mode. Such a concept is absent from Bohley. Merely because Bohley et al discuss driving wires 1, 2, 4 and 5 out of phase with wires 3, 6, 7 and 8 (as discussed in the portion of column 3, lines 30-56 of Bohley et al, as referred to by the office action), does not anticipate applicants' claims 5 and 17. The concepts discussed in the cited portion of Bohley are unrelated to the claims 5 and 17.

Regarding claims 6 and 18, there is no discussion of wire map mode in Bohley et al. FIG. 1 of Bohley et al does not show anything having to do with wire map mode. Accordingly the document cannot anticipate claims 6 and 18.

Claims 7, 19: Bohley et al do not teach or suggest use of a carrier signal. This concept is taught by applicants, not by the Bohley et al document. The word "carrier" does not appear in Bohley et al. 455Khz does not appear in Bohley et al. FIG. 1 of Bohley et al shows nothing related to use of a carrier signal. Accordingly, the claims cannot be anticipated by Bohley et al.

Claims 8, 9: The "ENABLE TONE" control of Bohley et al does not relate to an operation mode selector as claimed by applicants. Bohley et al do not have the concept of tone packets. Further, the ENABLE TONE does not allow selection of a different frequency. The frequency applied in Bohley et al relates to the CLK frequency, not the ENABLE TONE signal line.

Claim 10: Since claim 10 depends on claim 1, and as noted above, claim 1 is allowable, claim 10 should also be allowable.

Claim 13: This claim recites applying a tone packet. Bohley et al do not teach or suggest the concept of using tone packets. There is nothing in Bohley et al that relates to the use of packets in applying tones. Bohley et al merely apply a clock signal to the wires. Applying a clock signal to a wire has nothing to do with applying tone packets. A clock signal does not meet the concept of a tone packet.

Claims 20, 21: There is nothing in FIG. 1 of Bohley et al (nor in the entire document) that teaches or suggests a tone packet, let alone a tone packet employing a carrier signal as at least part of the tone packet. Accordingly the Bohley et al document is not capable of anticipating claims 20 and 21.

New claim 24 is added, reciting that said tone packet comprises plural quanta. Support for this language is found in the specification as filed, at page 5, line 26, and FIG. 2, for example.

Appl. No. 10/699,617
Response. dated August 29, 2005
Reply to Office action of May 27, 2005

New claims 22, 23, 25 and 26 are added, reciting that said carrier signal is turned on and off at an audio frequency rate and that said audio frequency rate is 1Khz or 2Khz. Support for these claims is found in the application as filed, at page 5, lines 5-14. This feature is advantageous in that it allows prior art analog audio toner probes to detect the test signals applied by the applicants' device also, even though such prior art probes do not enjoy the additional features and functions provided by applicants' devices.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicants' attorney at 503-224-0115 if there are any questions.

Respectfully submitted,

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